



Rce/2816  
#12/Ex(3)  
RCE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor : Lothar Musiol et al  
Applic. No. : 09/477,131 Group No. : 2816  
Filed : January 3, 2000 Examiner : Dinh Le  
For : Bandpass Filter

Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**(37 C.F.R. 1.114)**

**CERTIFICATION UNDER 37 C.F.R.1.8(a) and 1.10**  
*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

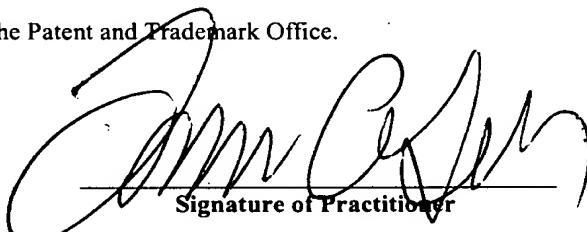
I hereby certify that, on the date shown below, this correspondence is being:

**MAILING/TRANSMISSION**

- deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.
- 37 C.F.R.1.8(a) - with sufficient postage as first class mail.

37 C.F.R. 1.10 - as "Express Mail Post Office to Addressee"  
Mailing Label No. EL US

37 C.F.R.1.8(a) - transmitted by facsimile to the Patent and Trademark Office.

  
Signature of Practitioner

Date: January 30, 2002

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above-identified application.

**TIME REQUEST IS BEING MADE**

2. This request is being submitted:
- i.  Prior to abandonment of the application
  - ii. Payment of the issue fee
    - Prior to payment of the issue fee
    - Issue fee has been paid but a petition under § 1.313 has been granted
  - iii. Prior to a decision on appeal to the Board of Patent Appeals & Interferences
    - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
  - iv. Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145; or
    - Commencement of a civil action under 35 U.S.C. 146
    - Prior to the filing of such appeal or commencement of civil action
    - Such appeal or commencement of civil action has been terminated

**SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

3. a) Previously submitted
- Consider the amendment/reply under 37 C.F.R. 1.116 previously filed on July 19, 2001  
(Any unentered amendments referred to above will be entered)
  - Consider the arguments in the Appeal Brief or Reply Brief previously submitted on
  - Other
- b) Enclosed herewith is/are:
- An information disclosure (37 C.F.R. §1.98)  
Form PTO-1449 (PTO/SB/08A and 08B)
  - An amendment
  - New arguments
  - New evidence in support of patentability
  - Other:

### FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:

Small entity (and status is still as small entity) \$370.00  
 Large entity \$740.00

Continued Prosecution Request Fee \$740.00

### FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. §1.16(b)-(d) has been calculated as shown below:

|   | (Col.1)                          |       | (Col.2)                         | (Col.3)       | Small Entity    |          |    | Large Entity    |          |
|---|----------------------------------|-------|---------------------------------|---------------|-----------------|----------|----|-----------------|----------|
|   | Claims remaining after amendment |       | Highest No. previously paid for | Present Extra | Rate            | Add.F ee | Or | Rate            | Add.F ee |
| Total   | 7                                | Minus | 7                               |               | x\$9=           | \$       |    | x\$18=          | \$0      |
| Indep.  | 2                                | Minus | 2                               |               | x\$40=          | \$       |    | x\$80=          | \$0      |
| First Presentation of Multiple Dependent Claims |                                  |       |                                 |               | +\$135=         | \$       |    | +\$270=         |          |
|   |                                  |       |                                 |               | Total Addit.Fee |          | Or | Total Addit.Fee |          |

(c)  No additional fee is required.

or

(d) Total additional fee required is \$

### EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

| Extension  | Large Entity | Small Entity |
|--|--------------|--------------|
| one month  | \$ 110.00    | \$ 55.00     |
| two months                                       | \$ 400.00    | \$ 200.00    |
| <input checked="" type="checkbox"/> three months | \$ 920.00    | \$ 460.00    |
| four months                                      | \$1,440.00   | \$ 720.00    |

Fee: \$920.00

02/13/2002 HN00R1 00000073 09477131

02 FC:117 920.00 DP

An extension for - months has already been secured, and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

or

(b) Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

|                                     |  |            |
|-------------------------------------|--|------------|
| <input checked="" type="checkbox"/> | Continued Prosecution Fee (§ 1.17(e))              | \$740.00   |
| <input checked="" type="checkbox"/> | Fee for additional claims (if any) (§ 1.16(b)-(d)) | \$         |
| <input checked="" type="checkbox"/> | Extension of time fee (if any) (§ 1.17(a)(1)-(4))  | \$920.00   |
|                                     | Total Fee(s) Due                                   | \$1,660.00 |

#### PAYMENT OF FEE(S) DUE

8. Please pay the fees for this continued examination application as follows:

|                                     |  |            |
|-------------------------------------|--|------------|
| <input checked="" type="checkbox"/> | Check is attached for the sum of                         | \$         |
|                                     | Charge Account No. 12-1099 of Lerner and Greenberg, P.A. |            |
|                                     | the sum of   | \$         |
| <input checked="" type="checkbox"/> | Charge Credit Card the sum of                            | \$1,660.00 |
|                                     | (Credit Card Payment Form (PTO-2038) attached)           |            |

Please charge any required additional fees for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to

Account No. 12-1099 of Lerner and Greenberg, P.A.  
Credit Card (Credit Card Payment Form (PTO-2038) attached).

#### INVENTORSHIP

9. This application as amended names as inventors:

the same inventors as previously designated for the claims.  
fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.  
a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately: being filed been filed

**10. Instructions as to Overpayment**

Credit Account No. 12-1099.

Refund



SIGNATURE OF PRACTITIONER

LAUREN M. S. LERNER  
REG. NO. 100000000000000000

Date: January 30, 2002

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P.O. Address

/bmb

## PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2001

## CLAIMS AS FILED - PART I

(Column 1) (Column 2)

|                                  |                |                          |
|----------------------------------|----------------|--------------------------|
| TOTAL CLAIMS                     |                |                          |
| TOP                              | NUMBER FILED   | NUMBER EXTRA             |
| TOTAL CHARGEABLE CLAIMS          | 7 minus 20 = * |                          |
| INDEPENDENT CLAIMS               | 2 minus 3 = *  |                          |
| MULTIPLE DEPENDENT CLAIM PRESENT |                | <input type="checkbox"/> |

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

| AMENDMENT A                                    | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | (Column 1)                                  | (Column 2)               | (Column 3) |
|--|---|-------|---|--------------------------|------------|
|  |   |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA         |            |
| Total  | * 7                                       | Minus | ** 26                                       | =                        |            |
| Independent                                    | * 2                                       | Minus | *** 3                                       | =                        |            |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |   |       |   | <input type="checkbox"/> |            |

| AMENDMENT B                                    | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | (Column 1)                                  | (Column 2)               | (Column 3) |
|--|---|-------|---|--------------------------|------------|
|  |   |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA         |            |
| Total  | *   | Minus | **  | =                        |            |
| Independent                                    | *   | Minus | ***   | =                        |            |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |   |       |   | <input type="checkbox"/> |            |

| AMENDMENT C                                    | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | (Column 1)                                  | (Column 2)               | (Column 3) |
|--|---|-------|---|--------------------------|------------|
|  |   |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA         |            |
| Total  | *   | Minus | **  | =                        |            |
| Independent                                    | *   | Minus | ***   | =                        |            |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |   |       |   | <input type="checkbox"/> |            |

| SMALL ENTITY<br>TYPE | OTHER THAN<br>OR SMALL ENTITY   |
|----------------------|---------------------------------|
| RATE                 | RATE                            |
| BASIC FEE            | \$70.00                         |
| X\$ 9=               |                                 |
| X42=                 |                                 |
| +140=                |                                 |
| TOTAL                | <input type="checkbox"/> 740.00 |

| SMALL ENTITY     | OTHER THAN<br>OR SMALL ENTITY             |
|------------------|---|
| RATE             | ADDITIONAL<br>FEE                         |
| X\$ 9=           |   |
| X42=             |   |
| +140=            |   |
| TOTAL ADDIT. FEE | <input type="checkbox"/> TOTAL ADDIT. FEE |

| RATE             | ADDITIONAL<br>FEE                         |
|------------------|---|
| X\$ 9=           |   |
| X42=             |   |
| +140=            |   |
| TOTAL ADDIT. FEE | <input type="checkbox"/> TOTAL ADDIT. FEE |

| RATE             | ADDITIONAL<br>FEE                         |
|------------------|---|
| X\$ 9=           |   |
| X42=             |   |
| +140=            |   |
| TOTAL ADDIT. FEE | <input type="checkbox"/> TOTAL ADDIT. FEE |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.